IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.12.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM

AND

THE HON'BLE MR. JUSTICE S. TAMILVANAN

WRIT APPEAL No.2095 of 2002

and WAMP.No.3545 of 2002

..

S. Amanullahkhan .. Appellant

vs.

1.The Secretary
Department of Telecommunications
Government of India
20 Asoka Road
Sanchar Bhavan
New Delhi 110 001.

2.The Chief General Manager
Department of Telecommunications
Anna Salai, Chennai 2.

3.General Manager
Telecommunications
Gandhiji Road
Erode 638 001. .. Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order of the learned Judge Mr. Justice V. Kanagaraj dated 02.04.2002 made in WP.No.13152 of 2000.

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WP.No.13152 of 2000: Petition presented to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent relating calling for the records of the third respondent relating to the order passed in CP/ERD-SA/NIL/L & W Tender / 98-99/13 dated 10.7.00 at Erode and to quash the same and to direct the third respondent to allot work order to the petitioner in the Erode Circle.

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For appellant : Mr. S. Kadarkarai

For respondents: Mr. R. Sekaran for R.1 to 3

JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

Heard both sides.

2. It is not in dispute that by the impugned order dated 10.07.2000, the writ petitioner/appellant was Black-Listed by the General Manager, Telecom, Erode, third respondent herein, for a period of three years from the date of issue of the said order. In view of the same, we are of the view that at this juncture, no adjudication is required with reference to the said communication.

3. In the same communication, the Divisional Engineer(EP), O/o. General Manager, Telecom, Erode has stated that the security deposit of Rs.1,35,000/- paid by the petitioner is forfeited to Government of India for breach of tender conditions. It is brought to our notice that in respect of the same, dispute is pending before the Civil Court. The learned counsel appearing for the respondents fairly states that after expiry of the period of three years, the order of Black-Listing the writ petitioner /appellant cannot have no effect. The above statement is hereby recorded.

In view of the same, no further adjudication is required in this writ appeal; accordingly, the same is closed. No costs. Consequently, connected WAMP., is also closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1.The Secretary
  Department of Telecommunications
  Government of India
  20 Asoka Road
  Sanchar Bhavan
  New Delhi 110 001.

2.The Chief General Manager
  Department of Telecommunications
  Anna Salai, Chennai 2.

3.General Manager
  Telecommunications
  Gandhiji Road
  Erode 638 001.

+ 1 CC To Mr. R.Sekaran, Advocate SR NO. 62735

+ 1 CC To Mr. S.Kadarkarai, Advocate SR NO. 62969

WA No.2095 of 2002

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